Session 13

Holistic Disaster Recovery: Creating a More Sustainable Future

Facilitators of a Sustainable Recovery (Part II)   **Time: 3 hours**

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Objectives:

13.1   Discuss how planning facilitates a sustainable recovery

13.2   Discuss how dispute resolution facilitates a sustainable recovery

Scope: Disaster recovery policy, developed at the federal, state or local level, can be understood as taking two primary forms; that being relatively inflexible and that being amenable to change depending on the nature of the disaster in question and the stakeholders affected.

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Issues affecting disaster recovery outcomes include:

- The magnitude of the disaster;

- The impact of the media;

- The role of politicians (who have varied degrees of actual and perceived power);

- The level of trust developed between FEMA regional staff tasked with programmatic oversight of federal rules and policy and state officials charged with their implementation;

- The level of trust developed between state staff and local government officials; and

- The level of trust developed between local government officials and disaster victims.

Planning for recovery and policy negotiation help to produce sustainable recovery outcomes. For example, recovery planning can provide the means to identify specific policy issues confronting stakeholders and the means to address them.   Dispute resolution techniques prove valuable when stakeholders engage in debate and policy dialogue regarding the varied interpretations of disaster recovery policy (or the lack thereof).

Required Reading

Student Readings:

Godschalk, David. 1992. Negotiating Intergovernmental Policy Conflicts: Practice-Based Guidelines. Journal of the American Planning Association. Vol. 58. No. 3.: 368-378.

Mileti, Dennis. 1999. *Disasters By Design: A Reassessment of Natural Hazards in the United States.* Chapter 7. Preparedness, Response and Recovery. Pp. 209-240. Washington, D.C.: Joseph Henry Press.

Topping, Kenneth. 1998. Model Reconstruction and Recovery Ordinance. Pp. 149-167. In *Planning for Post-Disaster Recovery and Reconstruction*. J. Schwab et. al. eds. Planners Advisory Service Report No. 483/484. Chicago: American Planning Association.

Tyler, Martha, Katherine O'Prey and Karen Kristiansson. 2002. *Redevelopment After Earthquakes.* Portola Valley, California: Spangle Associates, Urban Planning and Research. Pp. 1-48.

Instructor Readings:

Ozawa, Connie and Lawrence Susskind. 1985. Mediating Science-Intensive Policy Disputes. Journal of Policy Analysis and Management. Vol. 5, No. 1. pp. 23-39.

Susskind, Lawrence and Alan Weinstein. 1981. Toward a Theory of Environmental Dispute Resolution. Boston College Environmental Affairs Law Review. Vol. 9. No. 2. pp. 311-357.

13.1   Discuss how planning facilitates a sustainable recovery

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According to Mileti (1999), effective recovery plans requires the following components:

- *Community Involvement.* Ideally, the recovery plan should be agreed to by members of the community prior to a disaster. This may involve the direct involvement of stakeholders throughout the community. Otherwise, the recovery process can become highly politicized, leading to conflict in the aftermath of a disaster.

- *Information.* Effective plans require sound information to drive decision making. Recovery plans require several key types of data. **They include:**

  - Hazard profile, including the areas likely affected and their relative risk to differing hazards;

  - Demographic profile (population size, composition and distribution);

  - Economic profile (number and type of businesses, their contribution to the local economy and their reliance other organizations located outside of the community to provide raw materials, revenue, etc.);

  - Resources available following a disaster (personnel, supplies, funding, etc.);

  - The powers, programs and responsibilities of local, state and federal governments;

  - Current land use patterns and building stock, including location and characteristics; and

  - Local infrastructure (including type, use and interconnectivity).

- *Organization.* Action-oriented plans require an organizational structure to assign responsibilities.

- *Procedures.* Developing pre-disaster procedures enables the planning team to quickly implement identified actions post-disaster rather than trying to develop recovery protocols during the throws of a disaster. **Specific examples of important recovery procedures include:**

    o Developing procedures to address construction, permitting and code reviews; and

    o Establishing an approach that seeks to incorporate hazard mitigation techniques and sustainability into post-disaster reconstruction.

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- *Damage evaluation.* Recovery plans should include the means to mobilize, deploy and coordinate damage assessments, establish pre-disaster reconstruction standards and consider the relocation of vulnerable housing and community infrastructure.

- *Finances.* Communities should have at their disposal a listing of possible governmental, private and non-profit funding sources. Ideally, specific actions have been linked to eligible grants, loans or local revenues.

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Mileti goes on to note that linking sustainable development and recovery requires a series of related strategies. They include:

- *An increased timeframe for recovery decision making.*   Short-term decisions often reduce the likelihood of achieving sustainable recovery goals. Specific examples include the alteration of natural systems, such as floodplains and the continued development in known hazard areas during reconstruction.

- *Reconstruction and hazard vulnerability.* The reconstruction process must consider where and how damaged infrastructure, housing and businesses are rebuilt. Emphasis should be placed on reconstruction techniques that integrate mitigation measures such as relocation, hardening of structures and encouraging future development outside of identified high hazard areas.

- *Human resources.* Sustainable recovery requires innovative thinking and a willingness to utilize local knowledge and expertise. The mobilization of this resource is critically important to enhancing local self reliance, thereby serving to reduce the dependence on outside assistance.

- *Outside technical assistance.* The provision of aid in the form of technical assistance, training, and funding should serve to reinforce and strengthen local capacity.

- ***The environment as hazard.*** Post disaster reconstruction and land use strategies should recognize that hazards are a natural recurring process and therefore place limits on the development. As a result, chosen techniques should compliment rather than contradict this fact.

- *Nature and mitigation.* Reconstruction and recovery decisions should account for the fact that natural systems, such as floodplains, wetlands and sand dunes serve an important mitigation function.

- ***Scientific uncertainty and reconstruction.*** Following disasters, the incorporation of mitigation measures into the reconstruction process may be discounted due to uncertainties associated with the likelihood of reoccurrence. These uncertainties should not postpone choices regarding strengthening or avoidance strategies. Rather, they should be balanced with the need to capitalize on the post-disaster window of opportunity to incorporate mitigation techniques.

- ***Investment of recovery resources.*** Reconstruction measures that do not account for future disasters perpetuate the build – damage – rebuild cycle and are an inefficient use of resources.

- ***Participatory planning and recovery.*** An effective and comprehensive recovery effort requires the participation of a wide range of stakeholders, particularly those in which decisions will directly affect them.

Adapted from Disasters By Design: A Reassessment of Hazards in the United States (1999), p. 234, 238.

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Class Discussion:

The instructor should lead a discussion regarding the following questions:

- Is a recovery plan necessary to achieve a sustainable recovery?; and

- What other techniques have you observed during the course that has been used to facilitate a sustainable recovery?

Note: Students are expected to base their answers on class readings, case studies, outside research or personal experience (i.e. professional practice) and past role playing exercises.

The instructor may use the information provided below to facilitate the discussion:

- *Is a recovery plan necessary?*

  - Developing a "plan", defined as a document that lays out a set of clear goals and objectives prior to or following the onset of a disaster, does not necessarily equate with sound recovery. [1]

  - Local governments and state agencies typically identify particular needs and prioritize actions over time, rather than develop a hard copy plan.

  - This is not to say that planning does not occur. In many communities recovery planning more closely approximates a reactionary (or adaptive) process, based on the highest priority at that point in time.

    - The instructor may refer to the adaptive planning concepts discussed in objective 8.3.

- *What other technique have you observed during the course that has been used to facilitate a sustainable recovery?*

  - Leveraging resources;

  - Creation of multi-party recovery committees;

    - The instructor should discuss the notion that by creating a recovery committee, stakeholders are engaging in the *planning process,* which is perceived by many scholars and practitioners as one of the most important aspects of planning.

    - The involvement and coordination of relevant stakeholders

      - Planners and local emergency management officials – (see Kartez and Faupel 1994); and

      - The public (see case studies in Schwab, et. al. 1998).

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[1] This became evident during the teaching of a graduate student course on disaster recovery planning. Students were assigned the task of developing a recovery planning framework that local governments could use to guide the development of a pre or post-disaster recovery plan. A local government official was invited to class to discuss the range of activities undertaken following two major hurricanes. Following both disasters it was noted that they hadn't actually developed a recovery plan. Rather, actions were guided by identified opportunities in the post-disaster environment. The planning process was taking place, just not in the traditional sense of plan-making followed by action.

- The instructor should encourage students to recall what they remember from their role playing and case study exercises. **Should students have difficulty recalling specific actions, the professor may want to highlight a few examples, including:**

  - The use of technology (e.g. GIS) to improve decision making; and

  - Policy dialogue, recognizing the political nature of post-disaster recovery and reconstruction, and cultivating local advocates (see Schwab, et. al 1998, Chapter 12).

- Answers based on role playing experiences will depend on the class.

Note: The instructor may choose to revisit these questions during the last day of class.

13.2   Discuss how dispute resolution facilitates a sustainable recovery

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As discussed throughout the course, disaster recovery often revolves around highly contentious issues. **Specific examples include:**

- The equitable distribution of aid;

- Conflicts surrounding shared governance;

- The real or perceived lack of information provided to disaster victims; and

- The speed of reconstruction.

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In order to facilitate a sustainable recovery, a range of dispute resolution techniques are frequently necessary. Dispute resolution techniques, based on consensus, rather than conflict, can in fact work, even when dealing with administrative agencies (e.g. FEMA) that tend to focus on making sure that regulations and rules are enforced and predetermined guidelines are applied uniformly. Techniques discussed in this session include negotiation and mediation.

Negotiation is regularly used to resolve policy disputes among federal, state and local government agencies tasked with recovery.

- In many cases, disputes arise due to differing programmatic interpretations of recovery assistance programs or the unwillingness of one group (level of government) to do what another believes is right or required by rule or law.

- **Negotiation can be defined as "a method for consensual dispute settlement in which only the principle parties participate (Susskind and Weinstein 1981, p. 314).**

Mediation involves the use of a neutral third party to assist in the negotiation of voluntary agreements. The desired end result of such interactions is the development of mutually beneficial results, often referred to as "win-win" solutions. **The mediator:**

- Organizes meeting logistics;

- Ensures that all interests are represented;

- Helps keep discussions focused and on-track;

- Keeps a record of the proceedings; and

- Assists in the development of an agreement based on the substance of the dispute. **This role may require:**

    o Meeting separately with parties to determine major interests and objectives behind their stated negotiating positions;

    o Analyzing the conflict; and

    o Presenting options for consideration by the parties.

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The negotiation process

Negotiation can be broken down into three primary phases, each including a series of steps. The three phases include pre-negotiation, negotiation and post-negotiation.[2] **Each phase is described below:**

- *Pre-Negotiation*

  - The parties to a dispute or planning process clarify the nature of their disagreement and determine who will be responsible for organizing the negotiation;

  - Stakeholder parties select negotiating representatives and secure commitments from each other to participate in the process; and

  - Negotiators establish a timetable and ground rules governing the negotiation and identify possible resources to support the negotiation.

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- *Negotiation*

  - All parties develop a negotiating agenda that adequately accounts for the range of issues in contention;

  - The negotiators identify information needs and engage in collaborative, or "joint" fact-finding;

  - Negotiators work toward a "single negotiation text," which provides a context for considering mutually beneficial trades;

  - Parties work with each other and with their constituents to draft, review and revise possible agreements; and

  - Negotiators sign a final agreement clearly indicating the extent to which individuals and organizations are bound to the settlement.

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[2] Additional techniques used to help resolve disputes may include facilitation, administrative hearings and arbitration. For additional information on these techniques refer to *Dispute Resolution* (Goldberg, Green and Sander, 1985). Howard Raiffa's text, *The Art and Science of Negotiation* (1982) provides a discussion of the theory behind negotiation techniques.

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- *Post-Negotiation*

  o The agreement is linked with institutions with formal implementation power; and

  o A monitoring mechanism is set in motion, and renegotiation, if needed, occurs according to a previously agreed upon process.

The negotiation process was taken from New Approaches to Resolving Local Public Disputes. 1990. Washington, D.C.: National Institute for Dispute Resolution.

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Susskind and Weinstein (1981) describe nine steps to resolving environmental disputes that are relevant to the issues frequently encountered in multi-stakeholder conflicts, including those found during disaster recovery. They include:

- *Identifying the Parties that have a Stake in the Outcome of a Dispute.*

  o All relevant parties (those that have something at stake) should be involved at the beginning of the process, if at all possible.

  o Parties must want to participate in the process.

- *Ensuring That Groups or Interests That Have A Stake in the Outcome are Appropriately Represented.*

  o Three methods exist to choose potential participants. They include:

    ▪ Reliance on networks of existing organizations;

    ▪ Ad-hoc elections; and

    ▪ The selection of participants by administrators, regulators or a mediator.

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- *Narrowing the Agenda and Confronting Fundamentally Different Values and Assumptions.*

    o Gaining a greater understanding of what participant's value and the underlying assumptions regarding issues associated with the conflict can help identify misunderstandings and areas ripe for negotiation.

    o This process also allows those involved in the dispute to identify information that may result in challenging their current view of the situation.

- *Generating a Sufficient Number of Alternatives or Options.*

    o Identifying more than one alternative allows stakeholders to choose among those that best meet their interests, thereby increasing the likelihood that trade offs and mutually agreeable solutions can be identified.

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- *Agreeing on the Boundaries and Time Horizon for Analysis.*

    o Establishing boundaries and a specified time horizon, agreed to by all parties, can be used to push for a resolution within the time allotted.

    o Properly defined, broad boundaries may uncover issues that can be resolved, and therefore, open up additional areas for negotiation.

- *Weighting, Scaling, and Amalgamating Judgments about Costs and Benefits.*

    o Issues vary in terms of their importance to differing parties. Therefore, issues are frequently weighted in order to address comparable trade offs.

    o Disputes over the interpretation of data are common. In some cases, disputants agree to share the information they will use to make their point. This allows parties to debate the merits of the information or the manner in which it was collected.

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- *Determining Fair Compensation and Possible Compensatory Actions.*

    o Determining specific compensatory options are an important part of the negotiation process. Compensation is not always financial. Rather, fair compensation represents what the other is willing to provide and the other is willing to take in order to satisfy their interests.

- *Implementing the Bargains That are Made.*

    o Prior to reaching an agreement it is critical that all parties realize the costs and obstacles associated with the implementation of the agreement. Disputes that follow a failed agreement are typically more entrenched, due to a lack of trust.

- *Holding the Parties to Their Commitments.*

    o Developing a method that holds parties responsible to their commitments is necessary to maintain confidence among all stakeholders that the agreement will stand the test of time. Formal agreements also provide stakeholders a clear picture of the issues that they have agreed to uphold.

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Class Discussion

The instructor should lead a discussion with the class regarding the following question:

- Based on student's understanding of sustainability (Session 2), dimensions of recovery (Session 3), roles in recovery (Sessions 4 and 5), the concept of shared governance (Session 7) and decision making in recovery (Sessions 8 and 9), discuss how dispute resolution techniques can facilitate a sustainable recovery.

Note: The instructor may choose to discuss specific characteristics or outcomes of dispute resolution techniques across each session topic (e.g. sustainability, dimensions of recovery, etc.). Relevant information from past sessions are provided to assist in the discussion and allow the instructor to more easily reference past course lecture material.

Session 2:   Defining Sustainable Recovery

Disaster Recovery

Recovery can be defined as the restoration and repair of the physical, or built environment as definition # 1 suggests:

Definition # 1: "The process of restoring normal public or utility services following a disaster, perhaps starting during but extending beyond the emergency period to that point when the vast majority of such services, including electricity, water, communications, and public transportation, have resumed normal operations. Short-term recovery does not include the reconstruction of the built environment, although reconstruction may commence during this period. Long-term recovery (see reconstruction) is the process of returning the community, to the extent possible, to the conditions that existed prior to the event, preferably while taking the opportunity to mitigate against future disasters" (Eadie, et. al. p.329).

*Reconstruction***:** "The long-term process of rebuilding the community's destroyed or damaged housing stock, commercial and industrial buildings, public facilities, and other structures. As used here, it is the last phase of the community's reaction to the natural disaster. This process is also sometimes referred to as 'long-term recovery'" (Eadie, et. al. p.328).

Definition # 2:

A more accurate definition of disaster recovery is one that more closely describes the numerous challenges faced by individuals, families, organizations, communities, and states following disasters. Disaster recovery is the process of restoring, rebuilding and reshaping the physical, social, economic, and natural environment following a disaster.

Restoration implies getting things back to normal. **This concept can be applied to the broad components of recovery, including:**

- The repair of damaged housing, infrastructure or commercial buildings.

- The restoration of an individual or family's psychological well being. Similarly, disrupted social networks may need repair.

- Restoring the economy may involve an assessment of the regional economic impact on tourism dollars lost as a result of a hurricane and initiating an outreach campaign encouraging tourists to return.

- Restoring natural systems may involve repairing environmental damages caused as a result of structures located within the environmentally sensitive areas. For example, waste water treatment plants are often located in the floodplain (due to the use of gravity flow systems). If a plant is flooded and power systems are not adequately protected, it may result in the discharge of untreated human waste into nearby streams and rivers.

Rebuilding a home, neighborhood, community, or region typically implies the physical reconstruction of the built environment. **Specific examples may include:**

- Reconstructing or repairing damaged infrastructure, including water, sewer and electrical service delivery systems

- Reconstructing or repairing homes damaged following a disaster

- Reconstructing or repairing businesses and related distribution systems

- Reconstructing or repairing community assets such as parks, public buildings, etc.

The reconstruction of a neighborhood or community also involves a form of social-psychological restoration. For example, the physical reconstruction process can have the effect of restoring one's sense of place, re-establishing community pride, and restoring the local economy. **Examples may include:**

- The reconstruction of community icons (e.g. commemorative structures and locations that are linked to a community's past);

- Reconstructing or repairing places of worship, community centers, sports and recreational facilities;

- The construction of a facility or the dedication of a public space commemorating those affected by the disaster; and

- Rebuilding in a manner that encourages new economic investment (e.g. the initiation of a post-disaster downtown revitalization effort).

Reshaping a community implies changing the way things were before the disaster. The eventual path a community chooses to take during recovery can enhance or limit sustainability. **Factors to consider during this process include:**

- *Playing an active role in recovery.* In those instances when a community does not play an active role in recovery, the following may occur:

    o Poor, often short-sided decisions are made;

    o Shoddy reconstruction;

    o A loss of jobs;

    o A loss of affordable housing;

    o The failure to assist the most needy (or least powerful) recover; and

    o The failure to incorporate mitigation into the rebuilding process.

- *Land-use planning.* Poor post-disaster land use decisions can simply perpetuate the problems by rebuilding in known hazard areas, leading to a continued cycle of disasters – repair – disaster. In some cases maintaining current land use practices can encourage further development in hazardous locations, making the community more vulnerable to future events than they were prior to the disaster.

- *Wise use of federal, state and local funding and expenditures.* Capitalizing on federal, state and local dollars, including their creative use can facilitate a sustainable recovery.

    o Crafting a comprehensive and coordinated use of recovery funding can provide post-disaster opportunities to enhance economic, social, environmental and recreational benefits.

    o Similarly, continued investments in known high hazard areas will likely result in an unsustainable development pattern subject to future losses.

- Communities can, and do, choose different paths to recovery. In many cases, communities fail to return to their pre-disaster condition.

    o A disaster often represents a physical, psychological, and social wound that never fully heals.

    o The post-disaster environment provides savvy communities an unprecedented opportunity to improve (sometimes dramatically) the overall quality of life for its residents, enhance local economies, and improve environmental conditions.

    o *Sustainable Disaster Recovery* is a process undertaken by a range of stakeholders, moving beyond the basic reconstruction of the community, region, or state to its pre-disaster condition.

    o Social, economic, environmental, recreational, and other community goals can be achieved during recovery, resulting in a community that is a better place to live, work, and play than it was before the disaster.

    o The choices made following a disaster can enhance not only the lives of those facing the long road to recovery, but also the lives of future generations.

The first widely recognized definition of **sustainability** can be found in the findings of the World Commission on Environment and Development (often referred to as the Bruntland Commission):

"Meeting the needs of the present without compromising the ability of future generations to meet their own needs" (1987, p 188).

Sustainability and Disaster Recovery:

The concept of sustainability is comprised of several key elements including environmental, economic and social factors. The elements are not seen as competing with one another. Rather, under the proper circumstances, they are complimentary. For example, an economy can thrive and still do so in an environmentally sustainable manner. Similarly, economic and environmental stewardship can be achieved in a way that embraces the social makeup of a community. The ability of communities, states and nations to incorporate these principles into day-to-day operations, including those following disasters can lead to more socially, economically, and environmentally sustainable communities.

Dennis Mileti, in the book Disasters by Design, outlines a framework for "sustainable hazards mitigation" in which several principles are intended to integrate mitigation into the larger sphere of sustainability:

- Maintain and, if possible, enhance environmental quality;

- Maintain, and, if possible, enhance people's quality of life;

- Foster local resiliency to and responsibility for disasters;

- Recognize that sustainable, vital local economies are essential;

- Identify and ensure inter- and intragenerational equity; and

- Adopt a consensus-building approach, starting at the local level (pp.30-35, 1999).

The principles outlined by Mileti are directly applicable to the sphere of disaster recovery. Simply stated, sustainable disaster recovery refers to making communities better places to live than they were before the disaster, including making them more *disaster resilient* - taking action to make people, property and the environment less susceptible to the damaging impacts of a disaster. Resilience implies an ability to "bounce back" or recovery more quickly and comprehensively than others who have not embraced this concept.

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Dispute resolution and sustainable disaster recovery

- Mileti (1999) discusses the importance of developing a locally-driven "consensus-building approach" as a means to encourage "sustainable hazards mitigation." **Dispute resolution techniques can be used to help drive consensus-based decision making, which has numerous additional benefits directly related to a sustainable recovery. Specific benefits include:**

- Dispute resolution techniques are frequently used to uncover options or "opportunities." Based on these findings, those involved in negotiation may be able to agree to mutually beneficial "trades." A key aspect of sustainable recovery involves the search for post-disaster opportunities as discussed in session III (objective 3.2).

- Through debate and dialogue, or what Ozawa and Susskind term "joint fact-finding" (1985), stakeholders can identify and discuss underlying issues and chronic problems facing a community (objective 3.4). The use of dispute resolution, particularly mediation, provides a vehicle to empower those who may not ordinarily be given a chance to participate in community decision making.

- Empowering stakeholders can lead to an increased level of self-reliance (objective 2.1). Engaging in group dialogue can help to facilitate the generation of local ideas, some of which may not require outside aid in order to be implemented.

- By involving all relevant stakeholders, a long-term perspective may be identified (objective 3.3).

- Federal and State recovery programs are, generally speaking, governed by rules and law. However, as discussed in Session 8, policy debates between FEMA and the state are frequently resolved through negotiation. Federal and state recovery policies are routinely altered following disasters. Factors affecting change may include the scale of the disaster, access to power, and the interpretation of policy by differing individuals.

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- Dispute resolution techniques have been widely recognized by land use planners as a critical tool to be used in their profession (Forester 1987, Godschalk 1989 and 1992, Kartez 1989). **Godschalk provides a framework that compares planning process tasks and conflict resolution steps:**

  - Inventory and trend analysis (Planning process) – Issue identification and packaging (conflict resolution);

  - Goal setting (planning process) – consensus building (conflict resolution);

  - Alternative generation of plan selection process (planning process) – Dispute resolution or negotiation process (conflict resolution); and

  - Plan adoption, implementation and update or revision (planning process) – Consensus maintenance, monitoring of agreements (conflict resolution).

Adapted from Conflict Resolution in Local Government Land Use Planning. 1989. David Godschalk.

Session 7:   Shared Governance and its Relationship to Sustainable Recovery

- Our democratic system of government is closely linked with the concept of shared governance. Democracy can be messy due to the broad freedoms provided. Multi-jurisdictional disputes are frequently the result. This is particularly evident following disasters. The horizontal and vertical integration typology is provided to assist the instructor with the discussion of this topic as it relates to dispute resolution.

   Horizontal integration is characterized by the following traits:

   - The existence of solid relationships across local groups, organizations and institutions. These may include community groups, non-profits and local government agencies.

   - A community with strong horizontal integration regularly facilitates policy dialogue and negotiation across local organizations. This capacity is critical when identifying local needs and innovative solutions to the array of problems commonly faced in the post-disaster environment. The identification of needs and proposed actions is a key step towards a comprehensive and sustainable recovery.

   - A horizontally integrated community is more capable of implementing desired measures due to high levels of cooperation.

      o A community with poor horizontal integration is usually unable to develop a meaningful vision of recovery that includes input from all stakeholders.

      o The failure to include those that are interested in public policy decision making can lead to feelings of resentment and further fragmentation.

      o This downward spiral can be evidenced among the disenfranchised that feel as if they are inequitably represented by their local government officials.

      o The resulting backlash can cause elected officials to spend valuable time trying to make amends which limits the time spent on other disaster-related duties.

      o Failing to include all relevant experts or decision makers can limit the creative search for solutions that can occur during the disaster recovery process.

Vertical integration is characterized by the following traits:

- A strong connection to organizations and social networks outside of local institutions.

- Vertical integration can greatly enhance the ability of local governments to achieve desired aims, and to identify new or innovative solutions to complex problems.

- Positive linkages to outside organizations can also result in an enhanced power base. The ability to obtain federal state and local resources, for example, can be shaped by an organizations access to power.

- Weak vertical integration can result in an inability to influence federal, state and local decisions such as the immediate allocation of resources during the response and recovery effort or the prioritization of state actions. This can prove particularly important when trying to identify potential aid programs, influence local, state and federal decision making or the attempt to procure post-disaster supplemental grant funding, should it be available.

- **Vertical and Horizontal Integration Typology**

The horizontal and vertical integration typology provides a sound means to describe the capability of organizations to facilitate and effective and sustainable recovery.

- Communities that maintain both strong horizontal and vertical integration are referred to as **Type I communities** (see figure 7-1). Type I communities are more likely to recovery more quickly and to a greater degree than those that do not possess this dual nature (Berke, et. al. 1993).

- **Type II communities** maintain strong horizontal integration and weak vertical integration. Examples include small, tight knit rural communities that do not posses a strong relationship with state and federal agencies.

  o As a result of their limited understanding of state and federal recovery programs and policies, many are dependent on the state to provide significant guidance.

  o Of those that are not identified following disasters as needing help or those who do not actively seek assistance, local recovery options are significantly limited.

- **Type III communities** possess weak horizontal integration and strong vertical integration. Connections to state and federal agencies responsible for providing assistance during a federally declared disaster can help.

  o Without a community vision that comes from meaningful public participation and the identification of local needs, recovery efforts are not optimized.

- **Type IV communities** are characterized by weak horizontal and weak vertical integration. Not surprisingly, these communities are the least equipped to face the duties associated with disaster recovery. Ineffective or limited institutional frameworks have been established both within and external to the community. Thus, a Type IV community can neither effectively seek outside aid nor coordinate internal actions necessary to implement recovery programs.

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Dispute resolution techniques are directly relevant to shared governance as a means to move communities towards strong vertical and horizontal relationships. Specific factors include:

- Providing the means to bring stakeholders together to discuss inter-organizational issues (enhancing horizontal integration);

- Joint fact finding processes can strengthen relationships and trust across stakeholder groups (enhancing horizontal integration);

- Dispute resolution techniques can empower individuals and organizations that are not normally involved in decision making (enhancing horizontal integration);

- Dispute resolution techniques seek input from both those affected by policy and those who create it (enhancing vertical integration);

- While dispute resolution techniques, namely mediation, emphasize leveling the playing field (i.e. limiting the influence of power in negotiated settlements), cooperation among less powerful groups can enhance their negotiating position (enhancing horizontal and vertical integration); and

- Decision making made by stakeholders shapes the ultimate direction taken during recovery. Critical issues surrounding decision making (Session 7) is provided to assist the instructor with the discussion of this topic as it relates to dispute resolution.

Session 7:   Decision Making in Sustainable Recovery

Key recovery decisions are made at all levels of government. However, the inter-organizational environment which shapes decision making requires close coordination if local governments hope to achieve a sustainable recovery. **Key governmental issues include:**

- Local governments are usually the most directly impacted, yet they are typically the least prepared to address the logistical, financial and technical aspects of recovery and reconstruction.

- Conversely, FEMA, which is typically the best prepared to provide technical assistance following disasters, is the farthest removed from a clear understanding of local needs.

- States can play an important role, linking federal programs with identified local needs. The ability of states to facilitate the transfer of information varies across the United States as described briefly in Session III.

- The effects of these decisions are magnified in the post-disaster environment. Many decisions must be made quickly, sometimes with limited information or by individuals with limited experience.

- Intense pressure exists to distribute aid and take action. However, in many cases, states and local governments are not equipped to manage the large influx of federal dollars and the magnitude of additional responsibilities. In the majority of cases in which disasters do not trigger federal assistance, a series of local and state decisions must be made regarding how assistance will be provided.

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Dispute resolution techniques are directly relevant to disaster recovery decision making. Specific factors include:

- Assisting the least prepared gather the information needed to address recovery needs and identify opportunities;

- Assisting FEMA gain an improved understanding of local needs and how they can better assist states and local communities with the recovery effort;

- Dispute resolution techniques may be used by state agencies to coordinate activities with FEMA while assessing the needs of local governments. In many circumstances, state officials serve in this intermediary function. **A specific example includes:**

    o Assessing federal rules and balancing their impact with identified community needs.

    o When an apparent disconnect occurs, state officials may negotiate with FEMA to amend the rules.

        ▪ Techniques may include:

            - The provision of sound information that demonstrates how rules do not meet community needs;

            - Uncovering past precedence in other states where rules have been modified; or

            - The use of political power to obtain desired ends.

References:

Forester, John. 1987. Planning in the Face of Conflict: Negotiation and Mediation Strategies in Local Land Use Regulation. Journal of the American Planning Association. Vol. 53. No. 3. pp. 303-314.

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